

(b) Such proclamation may apply either to the whole of the Colony and its Dependencies or to any part of such whole.

Prosecution of offences.

9. Every offence under this Ordinance may be prosecuted before a Stipendiary Magistrate or two Justices of the Peace in a summary manner.

SCHEDULE I.

Reindeer.	Scoresby's Gull (<i>Larus Scoresbyi</i>).
Kelp Goose (<i>Bernicla antarctica</i>).	Kelp Pigeon (<i>Chionis alba</i>).
Thrush (<i>Turdus falklandicus</i>).	Red-breasted Starling (<i>Trupialis falklandicus</i>).
Wren (<i>Troglodytes Cobbi</i>).	Cinclodes (<i>Cinclodes antarcticus</i>).

SCHEDULE II.

Blacknecked Swan.	White or Coscoroba Swan.
Widgeon.	Pintail Duck.
Grey Duck.	Mallard (<i>Anas boschas</i>).
Teal.	Grebe.
Giant Petrel.	Snipe.
Double-ringed Plover (<i>Egialitis falklandicus</i>).	King-Shag (<i>Phalacrocorax alriceps</i>).

OPIMUM.

Ordinance No. 3 of 1913.

[8th April, 1913.]

An Ordinance to give effect to the measures decided upon in the International Opium Convention signed at The Hague on the 23rd day of January, 1912, and to regulate the importation into and the storage and disposal of Opium, Morphine, Cocaine and similar drugs in the Colony of the Falkland Islands.

Whereas the Government of the Colony of the Falkland Islands hath agreed to be bound by the International Opium Convention signed at The Hague on the 23rd of January, 1912 :

And whereas it is expedient to regulate the importation and the storage and disposal of opium, morphine, cocaine and similar drugs :

Be it therefore enacted by the Governor of the Colony of the Falkland Islands, with the advice and consent of the Legislative Council thereof, as follows :—

1. This Ordinance may be cited as “The Opium Ordinance, 1913.” Short title.

2. In this Ordinance the term— Signification of terms.

“Raw opium” means the spontaneously coagulated juice obtained from the capsules of the *papaver somniferum* which has only been submitted to the necessary manipulations for packing and transport.

“Prepared opium” means the product of raw opium, obtained by a series of special operations, especially by dissolving, boiling, roasting, and fermentation, designed to transform it into an extract suitable for consumption, and includes dross and all other residues remaining when opium has been smoked.

“Medicinal opium” means raw opium which has been heated to 60° centigrade, and contains not less than 10 per cent. of morphine, whether or not it be powdered or granulated or mixed with indifferent materials.

“Morphine” means the principal alkaloid of opium, having the chemical formula $C_{17}H_{19}NO_3$.

“Heroin” means the diacetyl morphine, having the formula $C_{21}H_{23}NO_6$.

“Cocaine” means the principal alkaloid of the leaves of *Erythroxylon Coca*, having the formula $C_{17}H_{21}NO_4$.

“Similar drugs” include—

(a) All preparations whether officinal or non-officinal as well as the so-called anti-opium remedies, which contain more than 0·2 per cent. of morphine, or more than 0·1 per cent. of cocaine.

(b) Heroine, its salts and preparations containing more than 0·1 per cent. of heroine.

(c) All new derivatives of morphine, of cocaine, or of their respective salts, and every other alkaloid of opium which has been demonstrated by scientific research to be liable to similar abuse, and in its abuse productive of like ill-effects.

“Opium,” when used without any qualifying epithet, shall be taken to include “raw opium,” “medicinal opium,” “morphine,” “heroine,” “cocaine,” and “similar drugs.”

“Store” means any place appointed by the Governor for the storage of opium on its arrival at any port in the Colony.

Cultivation of
of opium
poppy
prohibited.

3. It shall not be lawful to cultivate in this Colony the opium poppy (*papaver somniferum*).

Importation of
prepared opium
unlawful.

4. It shall not be lawful to import into the Colony any prepared opium.

Opium to be
deposited in
store.

5. All opium imported into the Colony shall be deposited, at the cost, risk, and peril of the person or persons importing the same, in such store as shall be appointed by the Governor for that purpose.

Opium with-
drawn on
Colonial
Surgeon's
authority.

6. No opium shall be delivered or withdrawn from a store except on the written authority of the Colonial Surgeon or medical officer authorised by him as hereinafter provided.

Colonial
Surgeon may
delegate
authority.

7. The Colonial Surgeon may authorise in writing any medical officer at any port in the Colony to sign the authority required by this Ordinance for the withdrawal of opium.

Withdrawals
only by
registered
medical
practitioners,
etc.

8. It shall not be lawful to authorise any withdrawal of opium from a store except to registered medical practitioners and dentists and to licensed druggists.

9. Where any opium imported into the Colony is, without the proper authority, found in the possession of any person or kept in a place other than a store, such person or the occupier of such place unless he can prove that the same was deposited there without his knowledge or consent, and also the owner of, or other person guilty of keeping the opium, shall be guilty of an offence.

Opium not to be kept in a place other than a store without authority.

10. Any person contravening the provisions of any of the preceding sections shall, on summary conviction before a Magistrate, be liable to a penalty not exceeding one hundred pounds or to imprisonment, with or without hard labour, for any period not exceeding twelve months, and the Magistrate may order any prepared opium, or opium unlawfully imported or withdrawn from the store, to be forfeited to His Majesty.

Penalty for contravention.

11. It shall be lawful for a Magistrate, if satisfied by information on oath that any opium, or prepared opium, is being unlawfully kept, conveyed, landed or sold in contravention of this Ordinance at any place, whether a building or not, or in any ship, not being or having the status of a ship of war, or vehicle, to grant a warrant to enter at any time, and if needs be by force, on Sundays as well as on any other days, the place, ship or vehicle named in such warrant, and every part thereof, and to examine the same, and to search for any opium or prepared opium unlawfully kept therein, and to demand from the owner or occupier thereof the production of the authority for being in possession of the same.

Search warrant.

When the officer or other person executing such warrant has reasonable cause to believe that any prepared opium or opium found by him in any such place, ship or vehicle, is being kept, conveyed, landed or sold in contravention of this Ordinance, he may seize and detain the same until the Magistrate has decided whether the same is liable to be forfeited or not.

Seizure of prepared opium or opium.

Proceedings in a Magistrate's Court shall be commenced as soon as possible after the seizure.

Procedure.

Protection of
officers from
actions.

12. Any person acting under the aforementioned warrant shall not be liable to any suit for seizing or detaining any prepared opium or opium.

Accomplices.

13. Whoever attempts to commit or aids or abets in the commission of any offence against this Ordinance may be dealt with in the same way, and shall be liable in the same penalty, as if he were charged with the actual offence.

Governor in
Council may
make rules.

14. It shall be lawful for the Governor in Council to make such rules as he may consider expedient for the regulation of the importation, landing, storage, withdrawal or conveyance of any opium imported into this Colony, and any person contravening the same shall, on summary conviction before a Magistrate, be liable for every offence to a penalty not exceeding five pounds, or to imprisonment, with or without hard labour, for a period not exceeding one month.

Recovery of
penalties.

15. All penalties incurred under this Ordinance may be recovered before a Magistrate, for which purpose every Magistrate shall have jurisdiction to the extent of the said penalties.

Date of
commencement
of Ordinance.

16. This Ordinance shall not come into force until such date as the Governor may fix by proclamation after His Majesty's non-disallowance thereof has been communicated to him.